

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ADOLPH BRYANT, JR.

PLAINTIFF

v.

No. 4:04CV66-P-D

CHRISTOPHER EPPS, ET AL., ET AL.

DEFENDANTS

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated September 25, 2006, and the plaintiff's November 7, 2006, objections, the court finds that the plaintiff's objections are without merit and the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated September 25, 2006, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

2. That the instant case is hereby **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted, counting as a "strike" under 28 U.S.C. §§ 1915 (e)(2)(B)(i) and 1915(g).

3. That this case is **CLOSED**.

THIS, the 9th day of November, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE